

1

2

3

4

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KEITH KEMP,

8

Plaintiff,

9

2:09-cv-02002-PMP-LRL
(Base File)

ORDER

1

HOWARD SKOLNIK, *et al.*

?

Defendants.

3

Plaintiff's motions (## 37 & 38) for a preliminary injunction and for a temporary restraining order (TRO) are DENIED. Under Rule 65(a)(1) of the Federal Rules of Civil Procedure, a preliminary injunction may issue only upon notice to the adverse party. Under Rule 65(b)(1), a TRO may issue without notice only if specific facts demonstrate that the moving party will suffer irreparable injury before the adverse party can be heard or the movant certifies the efforts to give notice and the reasons why notice is not required. Plaintiff satisfied none of these conditions. He instead attached a "certificate of service" showing "service" of the motion only upon the Clerk and himself. Plaintiff is not constitutionally entitled to legal assistance or advice, from this Court or anyone else, specifically on how to file an amended complaint in a consolidated action. All that he need do is file a single amended pleading setting forth all of his claims that is properly captioned for the consolidated action.

5

DATED: December 29, 2010.

26

27

8


Philip M. Pro
United States District Judge